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08/266,753 06/28/94 PATAL

C A6457

EXAMINER

KOSTAK, V

ART UNIT PAPER NUMBER

4

26M1/0531  
SUGHRUE, MION, ZINN, MACPEAK & SEAS  
2100 PENNSYLVANIA AVE., N.W.  
WASHINGTON, DC 20037

2602

DATE MAILED:

05/31/95

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on \_\_\_\_\_  This action is made final

A shortened statutory period for response to this action is set to expire 3 month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1.  Notice of References Cited by Examiner, PTO-892.  
2.  Notice of Draftsman's Patent Drawing Review, PTO-948  
3.  Notice of Art Cited by Applicant, PTO-1449.  
4.  Notice of Informal Patent Application, PTO-152.  
5.  Information on How to Effect Drawing Changes, PTO-1474..  
6.  \_\_\_\_\_

Part II SUMMARY OF ACTION

1.  Claims 1-22 are pending in the application  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.  
2.  Claims \_\_\_\_\_ have been cancelled.  
3.  Claims 19-22 are allowed.  
4.  Claims 1-18 are rejected.  
5.  Claims        are objected to.  
6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.  
7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.  
8.  Formal drawings are required in response to this Office action.  
9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings  
are  acceptable;  not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).  
10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been  approved by the  
examiner;  disapproved by the examiner (see explanation).  
11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).  
12.  Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  
 been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_  
13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in  
accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.  
14.  Other

EXAMINER'S ACTION

Art Unit: 2602

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

2. It is noted that throughout the claims, applicant recites the term "QAM" in an alternating font (note for example lines 2 and 7 of claim 2). Though it's not a cause for an objection, applicant may prefer to keep to one font for consistency, unless the two are used for a reason.

3. Claims 1-17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In line 5 of claim 1, applicant refers to the QAM signal as a "complex-amplitude-modulation" type although it is well known that the Q stands for quadrature. (It is noted however that throughout the rest of the disclosure including the claims, quadrature is recited).

4. Claims 1-22 are allowable over the prior art of record.

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note particularly Takahashi and Reeve, III.

The prior art does not suggest switching between a QAM and a VSB signal for HDTV reception using a common tuner.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak whose telephone number is (703) 305-4374.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

VRK  
May 24, 1995

VICTOR R. KOSTAK  
PRIMARY EXAMINER  
ART UNIT 262

*W.R.K.*